REMARKS

By the above actions, claim 1 has been amended, claims 6-11 have been canceled and made the subject matter of a divisional application, and the title has been amended to reflect the cancellation of the device claims. In view of these actions and the following remarks, reconsideration of this application is requested.

The Examiner's objection to the abstract has been obviated by the deletion of "(Figure 3)" on the last line, as required. Thus, this objection should now be withdrawn.

Likewise, with the cancellation of claims 6-11, the objections to claims 9-11 have been rendered moot and thus the objection to claims should now be withdrawn.

Claims 1-5 stand rejected based on the Jeffries et al. patent under 35 USC § 102 and based on this patent in combination Kong patent (claims 2-4) or Kong and German '446 reference (claim 5) under 35 USC § 103. It is clear from the Examiner's comments and the nature of the references applied that this rejection is based on the view expressed by the Examiner in his restriction requirement to the effect that "the process claimed can be practiced by *another materially different apparatus* ... not necessarily having *a physical model of the glow plugs*" (Page 2, Office Action mailed September 10, 2004; emphasis added) since the references applied relate to materially different apparatus which do not use a physical model of the glow plugs to arrive a control value for controlling heating of the glow plug. In particular, Jeffries et al. teach detecting the resistance of the glow plug in order to control the heating of the glow plug. Similarly, Kong teaches sensing the resistance change in the heating element due to temperature changes in the combustion chamber for controlling the supplying of power to the heating element. In a comparable manner, the German '446 reference uses a voltage drop caused by a measuring resister and the voltage of the glow plug as inputs to a controlling/evaluating unit for controlling the power supplied to the glow plug.

In contrast, with the present invention, during emulation, values can be used and processed concerning the power supply to the glow plug, the conditions of operation of the engine and other parameters, such as temperature, etc. With such an emulation, a control signal can obtained which exactly corresponds to the actual temperature of the glow plug, so that a corresponding control of heating of the glow plug is possible based on a mathematical algorithm that represents/imitates a physical model of the glow plugs.

Since these resistance measuring techniques of the prior art relied upon by the Examiner are fundamentally different from that of the present invention and since the prior art references do not teach or even remotely suggest the use a physical model of the glow plugs to arrive a control value for controlling heating of the glow plug, it is submitted that the present invention as now claimed is novel and unobvious with respect to such materially different apparatus and the methods by which they function. Accordingly, reconsideration and withdrawal of the outstanding prior art rejections under §§ 102/103 are in order and are now requested.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,

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